

Justice Dept. Asks Hill Inquiry on FBI

By Ken W. Clawson and Spencer Rich
Washington Post Staff Writers

Deputy Attorney General Richard G. Kleindienst yesterday urged a congressional investigation into "the whole operation of the FBI" to dispel fear and divisiveness caused by allegations that the bureau taps telephones of senators and congressmen.

Kleindienst also said that Rep. Hale Boggs (D-La.), the House Majority Leader, was either "sick or . . . not in possession of his faculties" on Monday when he accused the FBI of keeping congressmen under surveillance and tapping their telephones.

A few hours after Kleindienst struck back at Boggs in a nationally televised interview, he narrowed his offer of a congressional probe to include only the allegations raised by Boggs.

Kleindienst's offer of a rare congressional look at the FBI elicited from the Senate Constitutional Rights Subcommittee the observation that it has been conducting an investigation of government surveillance activities since last year and without cooperation from the Justice Department.

The subcommittee, whose chairman is Sen. J. Ervin Jr. (D-N.C.), asked the Justice Department March 17 to produce eight documents relating to surveillance guidelines, criteria for intelligence gathering, and specific information on FBI activities in this field.

So far, only one document has been received by the sub-

committee. A Justice Department official said Assistant Attorney General Robert Mardian was awaiting a subcommittee letter detailing what documents it wanted, but subcommittee sources said they had made it clear on March 17 which papers were desired.

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Justice Dept. Suggests Probe of FBI on Boggs

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Subcommittee sources said they could not speak firmly for Ervin, who is in North Carolina, but they expect future hearings to deal thoroughly, if quietly, with Boggs' allegations about the FBI. The sources added that in recent meetings between Ervin and Sen. Edward M. Kennedy (D-Mass.) it was agreed that Ervin's unit would retain jurisdiction "at present" although Kennedy's Senate Administrative Practice Subcommittee would continue its own investigation of government surveillance. Last night, Kennedy said he favored the resignation of FBI Director J. Edgar Hoover.

On the House floor yesterday, Rep. Bella Abzug (D-N.Y.) requested the House Judiciary

Committee to make a broad investigation of the FBI. The request was received noncommittally by Chairman Emanuel Celler (D-N.Y.). Celler recently responded to a Washington Post survey by saying he felt his own telephones had been tapped by someone.

Rep. Wayne Hays (D-Ohio), chairman of the House Administration Committee, announced he would soon sign a contract with a "reputable firm" to check whether House members' telephones are tapped or their offices bugged.

The Executive Branch routinely brings its own bugging experts to check Senate Foreign Relations and Senate Armed Services committee rooms when spokesmen for the CIA, Defense Intelligence Agency, Joint Chiefs of Staff or Secretary of State testify.

The FBI has denied that any member of Congress has ever been under surveillance or had his phone tapped in the last 50 years.

The White House said yesterday that Director Hoover still enjoys the "full confidence" of President Nixon. Hoover was also defended in House speeches by Rep. John E. Hunt (R-N.J.) and Rep. John Buchanan (R-Ala.). Hunt said it appears to be "open season on the FBI" and Buchanan said Boggs' "unsupported statements do harm to the FBI."

In the Senate, Assistant Democratic Leader Robert C. Byrd of West Virginia challenged Boggs to reveal any evidence he had to support his charges.

"I think there is a good bit

of imagination involved here," Byrd said.

Kleindienst, in the first of three network television interviews yesterday, revealed that Hoover sent an FBI agent to Boggs' office Tuesday in search of evidence of illegal wiretapping.

"Congressman Boggs refused to see the agent who was there to get evidence to determine if someone in the FBI had violated the law. And we were disappointed but not too surprised that Congressman Boggs did not see the special agent."

It was in this early morning CBS interview, which was initiated by the Justice Department, that Kleindienst called for a congressional investigation of the "whole operation" of the FBI.

"Its whole role in fair, even-handed, impartial investigation of crime in this country is threatened. And I would welcome an investigation by Congress of its responsible members so that No. 1, you can put aside the irresponsible statements like Congressman Boggs on the one hand, and clear the air with respect to the essential role and function and methods of the FBI."

A few hours later, in simultaneous interviews sought by ABC and NBC, Kleindienst said Boggs' charges could not be permitted to "hang in the air." Unless they are retracted, he said, the only way public confidence in the FBI can be restored is through a congressional investigation.